



COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

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November 10, 2004

IN REPLY PLEASE
REFER TO FILE: PD-1

TO: Each Supervisor

FROM: Donald L. Wolfe
Interim Director of Public Works

ALAMEDA CORRIDOR EAST (ACE) PROJECT OCTOBER 25, 2004, MEETING

On October 25, 2004, a member of my staff attended the regular meeting of the San Gabriel Valley Council of Governments-ACE Construction Authority. A copy of the agenda and the adopted minutes of the September 27, 2004, meeting are attached. The following items occurred at the meeting, which are of interest to the County.

Under Agenda Item V, the Chief Executive Officer reported that the Los Angeles County Board of Supervisors, as a result of the October 16, 2004, derailment of a Union Pacific Railroad train in the Pico Rivera area, plans to order a study of railroad safety in the County. ACE staff will monitor the situation and report any findings or developments to the ACE Board.

The Chief Executive Officer also advised the Board that the Temple Avenue Train Diversion project is currently being advertised and a recommendation to award the construction contract is expected to be brought to the Board at the December 2004 meeting.

Under Agenda Item VI, the Chief Executive Officer recommended and the Board unanimously approved that the \$85 million funding advance granted by the Los Angeles County Metropolitan Transportation Authority to ACE in September 2004 be applied toward the Brea Canyon Road and Sunset Avenue grade separation projects. The \$85 million is \$3 million short of the expected \$88 million estimate to complete these two projects. The Chief Executive Officer advised that the Authority will look to Federal appropriations to make up for the shortfall.

Under Agenda Item VII, the ACE Board authorized the Chief Executive Officer to amend the existing contract with Automatic Switching and Controls, Inc., for communications services for the Intelligent Roadway Rail Interface System Demonstration project. The

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amendment increases the contract dollar amount by \$13,200 to a new contract value of \$816,545 and extends the effective completion date of the contract to March 31, 2005.

The next meeting of the ACE Construction Authority Board will be held on November 22, 2004, at the Irwindale City Hall at 2 p.m.

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Attach.

cc: Chief Administrative Office
Executive Office



Alameda Corridor-East Construction Authority

4900 Rivergrade Rd. Ste A120 Irwindale, CA 91706 (626) 962-9292 fax (626) 962-3552 www.theaceproject.org

REGULAR MEETING AGENDA Monday, October 25, 2004 2 P.M. Irwindale City Hall – Council Chambers 5050 Irwindale Avenue Irwindale, CA 91706

Members of the public may comment on any item on the agenda at the time it is taken up by the Board. We ask that members of the public come forward to be recognized by the Chair and keep their remarks brief. If several persons wish to address the Board on a single item, the Chair may impose a three- minute time limit on individual remarks at the beginning of discussion.

All items set forth on this agenda may be subject to action.

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| I. | Roll Call and Introductions | |
| II. | Approval of Minutes – Regular Meeting of September 27, 2004 (Pages 1-4) | Action |
| III. | Public Comment | |
| IV. | Chairman's Remarks | Information |
| V. | Chief Executive Officer ' s Report (Pages 5-15) | Information |
| VI. | Approval of Proposed Use of MTA Advance (Pages 16-17) | Action |
| VII. | Approval of Contract Amendment for Maintenance Services for IRRIS with Automatic Switching and Controls, Inc. (ASCI) (Pages 18-19) | Action |
| VIII. | Quarterly Environmental Mitigation Report for East End/Reservoir Grade Separation (Pages 20-22) | Information |
| IX. | Quarterly Report (Pages 23-41) | Information |
| X. | Adjournment | |

The ACE Construction Authority is currently constituted of seven (7) member jurisdictions: the City of El Monte, the City of Industry, the City of Montebello, the City of San Gabriel, the City of Pomona, the County of Los Angeles, and the San Gabriel Valley Council of Governments. A San Bernardino County Council of Governments representative is an ex officio Board member.

Each member or alternate has one vote. A quorum of the ACE Construction Authority is no less than four (4) of its total voting membership. Actions taken by the ACE Construction Authority shall be by simple majority of the members present with a quorum in attendance except for personnel actions, the annual budget, matters dealing with the Administrative Code or matters requiring subsequent approval by the SGVCOG, which shall require five (5) votes.



**ACE Construction Authority
Regular Board Meeting
September 27, 2004
Minutes**

Chairman Harry Baldwin called the meeting to order at the Irwindale Council Chambers on September 27, 2004 at 2:06 PM.

1. In attendance were:

Harry Baldwin, San Gabriel
Mike Antonovich, LA County
Ernest Gutierrez, El Monte
Bob Huff, Diamond Bar
George Hunter, Pomona
Jack Phillips, Industry
Ed Vasquez, Montebello
Mike Miller, West Covina, SGVCOG
Paul Eaton, SANBAG

Staff

Rick Richmond, Chief Executive Officer
Joe Silvey, Legal Counsel
Sharon Neely, staff
Deanna Stanley, staff
Cynthia Ambrose, staff
Girish Roy, staff
Bruce Armistead, staff

Guests

Manuel Saucedo, Senator Nell Soto
David Varnam, Congressman Gary Miller
Donna Lee, SCE
Russ Bryden, LA County DWP
Jim McDermott, McDermott Consulting
Raul Kumar, Foothill Transit

2. Approval of Regular Meeting minutes of August 23, 2004.

A motion was made to approve the meeting minutes of August 23, 2004.
M/S/C: Gutierrez/Vasquez/Unanimous

3. Public Comments

There were no public comments.

4. Chairman's Remarks

Chairman Baldwin indicated he attended the MTA Board meeting to thank the Board for their unanimous approval to advance \$85 million to the Authority. He noted that he had sent a thank you letter to the MTA Board on behalf of the Authority Board. Chairman Baldwin also indicated that a congressional delegation letter had been sent to the House Chair and ranking member of the Transportation and Infrastructure Committee concerning ACE Project funding in the pending 6-year reauthorization legislation. He noted that a thank you letter had been sent to congressional members.

5. Chief Executive Officer's Report

Rick Richmond noted that in addition to the report on page 4 of the agenda, ACE staff had provided a construction tour for staff of the Governor's office and the Secretary of Business Transportation and Housing's offices. Mr. Richmond introduced Mr. Lou Cluster, the new Senior Project Engineer. Mr. Bruce Armistead provided a construction photo progress report of the Nogales and East/End Reservoir projects. Mr. Jim Connolly, Bechtel-Korve Program Manager provided a summary of the program management activities over the last month.

6. Update on Phase I Project Funding

Mr. Richmond provided a presentation on the status of Phase I funding. He indicated that the costs for Jump Start Projects, IRRIS, Nogales St. and East End/Reservoir remained unchanged from the last quarterly progress report made in June. He noted that the construction bids for the last two contracts were under the engineers estimate. However, the construction bid for Ramona was higher than the engineers estimate and staff believes the increase is due to the increased price of steel and concrete. As a result, staff has made adjustments to the Phase I project estimates for projects not yet under construction. He summarized the differences in cost estimates for Ramona and Temple and discussed the funding received by local, state, and federal grants as well as the railroads contribution. He stated that UPRR costs of the Temple Project are \$14.4 million of the \$60.5 million and that the Authority could delay \$10.4 million of the railroad costs which is not needed until mid 2006 if the Authority was unable to obtain release of the remaining \$8 million TEA-21 earmark. He summarized the cost exposures (change orders are budgeted at 10% and are currently projecting 6%) and that there are 12 cases of pending real estate transactions that have sufficient funds budgeted; but that the court could render unexpected judgments. He noted that Temple is ready to bid and was recommending proceeding to advertise for construction. Mr. Richmond stated he will continue to provide funding updates to the Board.

7. Approval of Award of Ramona Blvd. Grade separation Construction Contract

Mr. Richmond summarized the results of the construction bids for the Ramona project. He indicated that Brutuco was the lowest most responsive bidder. He noted that Griffith Co. was the apparent low bidder, but was determined to be non-responsive based upon the fact that their bid was incomplete. Griffith left the cost sheet blank on ten bid items. Mr. Richmond noted that DBE Good Faith Outreach efforts were reviewed for Brutuco and included a 2.57% DBE participation. He noted that their bid was complete and responsive. He recommended that Brutuco appears to be qualified to perform the work specified in the contract and based upon a November 15th notice to proceed, the Authority would expect the work to be completed within 780 days. Mr. Richmond indicated that based upon the lowest responsive bid, the Ramona project cost would increase by \$4.9 million due to the construction bid and UPRR increased scope of work. He indicated that funds for the project are available from grant funds (TEA-21, ITIP, and Prop C) and are included in the approved budget. A motion was made to authorize the award of a contract to Brutuco Construction & Engineering for construction of the Ramona Blvd. Grade Separation, in an amount not to exceed \$17,721,474.85.

M/S/C: Gutierrez/Miller/Antonovich: abstained/Approved

8. Approval to Establish Section 401 (K) and Retirement Health Savings Account

Mr. Richmond summarized the staff report recommendations on page 17 of the agenda. He indicated that there is no practical way to offer retirement health benefits for ACE Employees, which would be available to any other public agency. He is proposing a Retirement Health Savings (RHS) Account, which permits employees to set aside assets for medical expenses after retirement. In addition, he is proposing the Section 401 (K) plan that is similar to Section 457 plan except that it allows employees to borrow from their own retirement accounts (there is no employer contribution). A motion was made to forward to the SGVCOG Governing Board a recommendation to establish Section 401 (K) deferred compensation accounts and Retirement Health Savings Accounts for ACE Construction Authority employees through the International City Managers Association (ICMA). M/S/C: Gutierrez/Vasquez/Unanimous

9. Adoption of Annual Disadvantaged Business Enterprise (DBE) Goal for Federal FY 2005

Mr. Richmond summarized the staff report recommendations on page 19 of the agenda. Staff recommends a 20% DBE annual goal for Federal FY '05. In accordance with federal regulations, the goal was established based upon firms available to participate in contracts for the fiscal year and an adjustment based upon past goal attainments. The Authority advertised the goal in several

publications and to the general public as reported in the agenda. No public comments were received. A motion was made to adopt the DBE Overall Annual Goal of 20% for Federal Fiscal Year 2004/05, covering the period of October 1, 2004 through September 30, 2005. M/S/C: Gutierrez/Cortez/Unanimous

10. Adjournment

A motion was made to adjourn the meeting at 2:45 PM
M/S/C: Cortez/Gutierrez/Unanimous